## IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF TENNESSEE NASHVILLE DIVISION

KRISTI DEAN and	)
JOSEPH T. DEAN,	)
Plaintiffs,	)
VS.	) No ) JURY DEMAND
WALMART, INC.,	)
WAL-MART STORES, INC.,	)
WAL-MART STORES EAST, LP,	)
WAL-MART SUPERCENTER #671,	)
	)
Defendants.	)

## NOTICE OF REMOVAL

Defendants hereby give notice of the removal pursuant to 28 U.S.C. § 1441 et. seq., of the following action filed against them: <u>Kristi Dean and Joseph T. Dean v. Walmart, Inc., Wal-Mart Stores, Inc., Wal-Mart Stores East, LP, and Wal-Mart Supercenter #671</u>, in the Circuit Court for Wilson County, Tennessee, No. 20-CV-493.

Copies of the summons are attached as Exhibit A. A copy of the complaint is attached as Exhibit B. Plaintiffs are citizens and residents of Lebanon in Wilson County, Tennessee.

Wal-Mart Stores East, LP, is the entity that operated the store on the date of this accident. Wal-Mart Supercenter #671 is not a legal entity. Walmart, Inc., Wal-Mart Stores, Inc., Wal-Mart Stores East, LP, and Wal-Mart Supercenter #671 are not proper parties to this action. Defendants may be referred to as "Wal-Mart" in this document. It is expected that Wal-Mart Stores East, LP, will be substituted as the proper defendant in this matter.

Wal-Mart Stores East, LP is a Delaware limited partnership. The general partner is WSE Management, LLC, a Delaware limited liability company. The limited partner is WSE Investment, LLC, a Delaware limited liability company. The sole member of WSE Management, LLC and WSE Case 3:20-cv-00928 Document 1 Filed 10/28/20 Page 1 of 3 PageID #: 1

Investment, LLC is Wal-Mart Stores East, LLC fka Wal-Mart Stores East, Inc., an Arkansas limited liability company. The sole member of Wal-Mart Stores East, LLC is Walmart Inc. fka Wal-Mart Stores, Inc., a Delaware corporation. The principal place of business for all entities mentioned is 702 S.W. 8th Street, Bentonville, Arkansas 72716.

Jurisdiction is conferred under 28 U.S.C. § 1332 relating to diversity of citizenship of the parties. The parties are citizens of different states.

The amount in controversy is in excess of the federal jurisdictional requisite of \$75,000. Plaintiff Kristi Dean "demands judgment against the Defendants in an amount not to exceed \$200,000.00." Plaintiff Joseph T. Dean "demands judgment against the Defendants in an amount not to exceed \$25,000.00."

Defendants Walmart, Inc., Wal-Mart Stores, Inc., and Wal-Mart Stores East, LP, were served with process on September 29, 2020. Fewer than thirty days have expired since service of process on Defendants. This Notice of Removal is timely filed as set forth in 28 U.S.C. § 1446(b).

WHEREFORE, Defendants hereby give notice of the removal of this action pending in the Circuit Court of Wilson County, Tennessee, to the United States District Court for the Middle District of Tennessee, Nashville Division, and requests that the proceedings be held thereon.

/s/ Maria T. de Quesada

G. Andrew Rowlett, No. 16277
Maria T. de Quesada, No. 24389
HOWELL & FISHER, PLLC
3310 West End Avenue
Suite 550
Nashville, TN 37203
(615) 244-3370
arowlett@howell-fisher.com
mdequesada@howell-fisher.com
Attorneys for defendants

<sup>&</sup>lt;sup>1</sup>Wal-Mart Stores East, Inc. was converted to an Arkansas limited liability company on January 25, 2011.

## **CERTIFICATE OF SERVICE**

I certify that a copy of the foregoing was electronically filed with the Court and was served by U.S. Mail, postage prepaid, upon:

Hugh Green, Esq. LAW OFFICES OF HUGH GREEN 100 Public Square Lebanon, TN 37087 hugh@hughgreen.com

this the 28<sup>th</sup> day of October, 2020.

/s/ Maria T. de Quesada